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Date

02-13-2003

Restriction Election

Attorney Docket No. STAN-210

Confirmation No. 1555

First Named Inventor S. Hsu

Application Number 09/682,706

Filing Date October 9, 2001

Group Art Unit 1646

Examiner Name R. Li

Title: Stresscopins and their Uses

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This amendment is responsive to the Restriction Requirement dated December 13, 2002 for which a one-month period for response was given.

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IN THE CLAIMS

Cancel claims 4, and 6-22.

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REMARKS

Claims 4 and 6-22 have been canceled, without prejudice to refiling. No new matter is added.

Applicants elect the invention of Group I, and the sequence of SEQ ID NO:3 for examination, with traverse.

Applicants respectfully submit that SEQ ID NO:3 is the mature form of the polypeptide set forth in SEQ ID NO:2, and that the sequences should be examined together. Applicants further submit that SEQ ID NO:3 and SEQ ID NO:6 are properly examined together. As shown in Figure 1C, the two peptides show considerable sequence similarity. And as shown in Figures 3A-3H and in Figures 4A-4E, there is a remarkable similarity in the pharmacologic profile of the two peptides. While 35 U.S.C. 121 provides that restriction may be required to one of two or more independent and distinct, 37 CFR 1.141 provides that a reasonable number of species may still be claimed in one application if the other conditions of the rule are met.

As discussed in MPEP 806.04(a), species, while usually independent, may be related under